

**CHAPTER 1037**

## TERMINATIONS OF TENANCIES — NOTICE

H.F. 2695

**AN ACT** relating to landlords and tenants including notice requirements to terminate a periodic tenancy and service of a petition for forcible entry and detainer by publication.

*Be It Enacted by the General Assembly of the State of Iowa:*

Section 1. Section 562A.34, Code 2005, is amended by adding the following new subsection:

**NEWSUBSECTION.** 2A. The landlord or the tenant may terminate a tenancy having a term longer than month-to-month by a written notice given to the other at least thirty days prior to the end of the first or subsequent term of the tenancy specified in the notice.

Sec. 2. Section 648.10, Code 2005, is amended to read as follows:  
648.10 SERVICE BY PUBLICATION.

Notwithstanding the requirements of section 648.5, service may be made by publishing such notice for one week in a newspaper of general circulation published in the county where the petition is filed, provided the petitioner files with the court an affidavit stating that an attempt at personal service made by the sheriff was unsuccessful because the defendant is avoiding service by concealment or otherwise, and that a copy of the petition and notice of hearing has been mailed to the defendant at the defendant's last known address or that the defendant's last known address is not known to the petitioner. Service under this section is complete seven days after publication. The court shall set a new hearing date if necessary to allow the defendant the three-day minimum notice required under section 648.5.

Approved April 7, 2006

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**CHAPTER 1038**

## SANITARY DISTRICT TRUSTEES — PER DIEM

S.F. 2087

**AN ACT** relating to an increase in per diem paid to trustees of sanitary districts.

*Be It Enacted by the General Assembly of the State of Iowa:*

Section 1. Section 358.12, unnumbered paragraph 1, Code 2005, is amended to read as follows:

The trustees elected as provided in section 358.9 constitute a board of trustees for the district by which they are elected. The board of trustees is the corporate authority of the sanitary district and shall manage and control the affairs and property of the district. A majority of the board of trustees shall constitute a quorum, but a smaller number may adjourn from day to day. The board of trustees shall elect a president, a clerk, and a treasurer from its membership and may employ employees as necessary, who shall hold their employment during the pleasure of the board. The board shall prescribe the duties and fix the compensation of all em-

ployees of the sanitary district and the amount of bond to be filed by the treasurer of the district and by any employee for whom the board may require bond. The members of the board of trustees shall receive a per diem of ~~forty~~ one hundred dollars for attendance at a meeting of the board or while otherwise engaged in official duties, but the total per diem for each member shall not exceed two thousand four hundred dollars for a fiscal year. However, the board of trustees, by resolution, may establish for its members a lower rate of pay than is fixed by this section. The members of the board shall also be reimbursed for their travel and other necessary expenses incurred in performing their official duties. Travel expenses are reimbursable at the rate specified in section 70A.9.

Approved April 11, 2006

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## CHAPTER 1039

### DEBT CANCELLATION COVERAGE — BANKS AND CREDIT UNIONS

S.F. 2275

**AN ACT** relating to debt cancellation coverage offered by banks and credit unions.

*Be It Enacted by the General Assembly of the State of Iowa:*

Section 1. Section 524.913, Code 2005, is amended by adding the following new subsection:

**NEW SUBSECTION.** 3. Notwithstanding subsection 1, a state bank may offer voluntary debt cancellation coverage, whether insurance or debt waiver, to consumers. The amount charged for the coverage shall be included in the amount financed, as defined in section 537.1301. However, the charge for such coverage may be excluded from the finance charge under the federal Truth in Lending Act as defined in section 537.1302.

Sec. 2. Section 533.16, subsection 9, Code 2005, is amended to read as follows:

9. a. The provisions of the Iowa consumer credit code, chapter 537, shall apply to consumer loans made by a credit union, and a provision of that code shall supersede any conflicting provision of this chapter with respect to a consumer loan.

b. Notwithstanding paragraph "a", a credit union may offer voluntary debt cancellation coverage, whether insurance or debt waiver, to members. The amount charged for the coverage shall be included in the amount financed, as defined in section 537.1301. However, the charge for such coverage may be excluded from the finance charge under the federal Truth in Lending Act as defined in section 537.1302.

Approved April 11, 2006